

RECEIVED
CENTRAL FAX CENTER

DEC 07 2006

Remarks

Applicant respectfully requests reconsideration. Claims 2 – 20 are pending. Claims 2, 10, and 15 have been amended.

Applicant's attorney wishes to thank the Examiner for an interview conducted today, December 7, 2006, during which different formulations of claim language were discussed that would overcome the pending rejections of claims 2-20 under 35 U.S.C. § 101. The amendments to the claims herein are consistent with these formulations, and, therefore, the claims as amended are believed to overcome the rejections.

Turning to the particulars, the Examiner rejected claim 2 under 35 U.S.C. §101, as being directed to non-statutory subject matter. Applicant has amended claim 2 to overcome this rejection.

Claim 2 as amended is directed to a method operable on a clocking system for producing a plurality of clock signals having desired frequencies. Claim 2 has been amended to replace the previously recited step of "configuring the clocking system responsive to at least one of the divider values" with a step of "producing the plurality of clock signals responsive to at least one of the divider values."

Taken as a whole, claim 2 as amended recites a process that produces a "useful, concrete, and tangible result." State Street Bank & Trust Co. v. Signature Financial Group, Inc., 149 F3d. 1368, 47 USPQ 2d 1596 (Fed. Cir. 1998). Therefore, claim 2 as amended meets the requirements for statutory subject matter, and the rejection of claim 2 as amended under 35 U.S.C. § 101 is overcome.

Claim 2 as amended has not been rejected under any other grounds. Therefore, claim 2 as amended is allowable.

Claims 3-9 depend from claim 2 as amended and are allowable for the same reasons.

The Examiner has rejected claim 10 under 35 U.S.C. §101, as being directed to non-statutory subject matter. Claim 10 has been amended to replace the previously recited step of "inserting test program code into a test program for automatic test equipment, responsive to at least one of the divider values" with a step of "programming a test program for automatic test equipment, responsive to at least one of the divider values, to produce the plurality of clock signals when the test program is run."

Taken as a while, claim 10 as amended recites a process that produces a "useful, concrete, and tangible result." Id. Therefore, claim 10 as amended meets the

requirements for statutory subject matter, and the rejection of claim 10 as amended under 35 U.S.C. § 101 is overcome.

Claims 10 as amended has not been rejected under any other grounds. Therefore, claim 10 as amended is allowable.

Claims 11-14 depend from claim 10 as amended and are allowable for the same reasons.

The Examiner has rejected claim 15 under 35 U.S.C. §101, as being directed to non-statutory subject matter. Applicant has amended claim 15 to overcome this rejection.

Claim 15 as amended is directed to a method operable on a clocking system for producing a plurality of clock signals having desired frequencies. Claim 15 has been amended to replace the step of “inserting test program code into a test program for automatic test equipment, responsive to at least one of the divider values” with a step of “programming a test program for automatic test equipment, responsive to at least one of the divider values, to produce the plurality of clock signals when the test program is run.”

Taken as a whole, claim 15 as amended clearly recites a method that produces a “useful, concrete, and tangible result.” Id. Therefore, the rejection of claim 15 as amended under 35 U.S.C. § 101 is overcome.

Claim 15 as amended has not been rejected under any other grounds. Therefore, claim 15 as amended is allowable.

Claims 16-20 depend from claim 15 as amended and are allowable for the same reasons.

Conclusion:

Applicant contends that the application is now in condition for allowance. A notice to that effect is earnestly solicited.

Respectfully Submitted,



Bruce D. Rubenstein
Reg. No. 39,349
Attorney for Applicant

Atty. Docket : 1501-US
Telephone : 781-274-0202
Fax : 781-274-0201